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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,367	11/14/2003	Gary J. Craw	18695-9318-00	1861
23409	7590	11/01/2005	EXAMINER	
MICHAEL BEST & FRIEDRICH, LLP			HAN, JASON	
100 E WISCONSIN AVENUE			ART UNIT	
MILWAUKEE, WI 53202			PAPER NUMBER	
			2875	

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/714,367	Applicant(s) CRAW ET AL.	
	Examiner Jason M. Han	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3-29 and 31-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-29 and 31-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

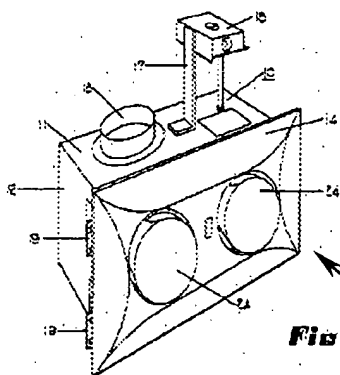
- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

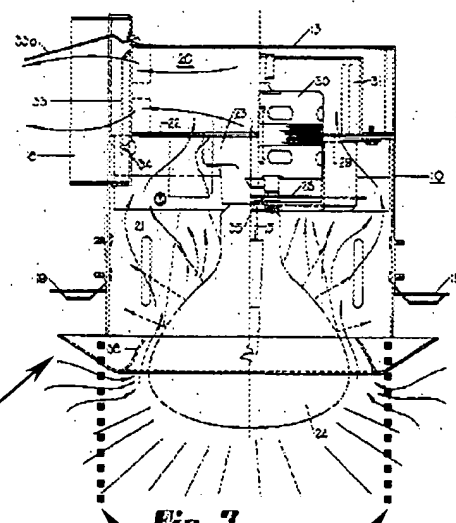
1. Applicant's arguments with respect to Independent Claims 1 and 22 have been considered but are moot in view of the new ground(s) of rejection.
2. Applicant's arguments filed July 5, 2005 with respect to Independent Claims 11 and 32 have been fully considered but they are not persuasive.

To elucidate: Applicant recites in Claims 11 and 32, or similarly, "positioning the lamp housing within the main housing to define a recessed lamp housing, the lamp housing having a portion extending outside of the main housing [Page 12]", and argues, "the cover plate 14 is not positioned within the housing 10 to define a recessed lamp housing [Page 12]". Though it is clear that Duhamel teaches a cover plate 14 not being positioned within the housing, the Applicant's above definition recited a portion of the lamp housing extending outside of the main housing, which accommodates the above teaching.



**Fig 1**

Note that the lamp housing [Figures 1&3: (14, 36)] is positioned within the main housing [Figures 1&3: (10)], but has a portion [Figure 1: (14); Figure 3: (36)] extending outside of the main housing.



**Fig 3**

Note how the lamp housing (36) is recessed within the boundaries of the main housing (10).

Thus, as broadly interpreted by the Examiner [MPEP 2111], the prior art of Duhamel et al. (U.S. Patent 3692977) remains commensurate to the scope of the claims as stated by the Applicant.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 44 and 47 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claims 44 and 47 recite the limitation "the flange" in line 1 of the claims. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 44 recites the limitation "the surface of the structure" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

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The following claims have been rejected in light of the specification, but rendered the broadest interpretation as construed by the Examiner [MPEP 2111].

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***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

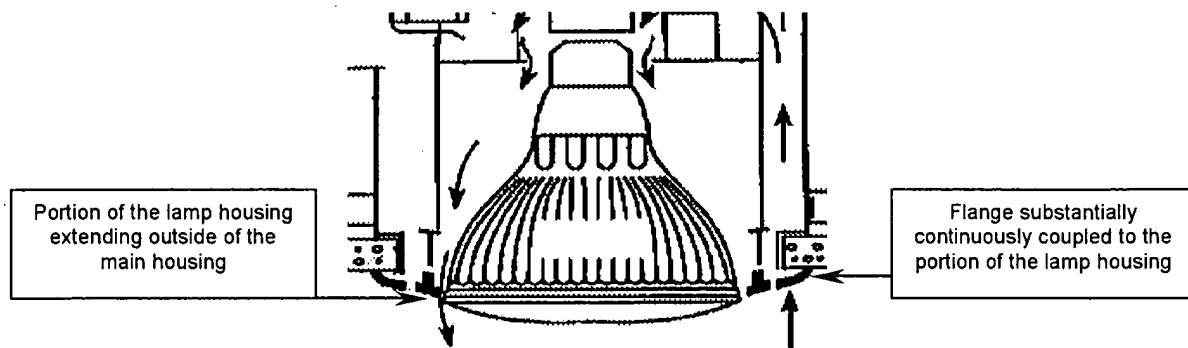
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. Claims 1, 3-4, 7-10, and 42 are rejected under 35 U.S.C. 102(b) as being anticipated by Hutain (U.S. Patent 6095671).

7. With regards to Claim 1, Hutain discloses a combination lighting and ventilating apparatus including:

- A main housing [Figure 2A: (108)] having a first aperture [Figure 2A: proximate (110)], wherein the aperture defines a ventilation inlet and a lighting outlet;
- A lamp housing [Figure 2A: (122)] recessed within the main housing, wherein the lamp housing has first [Figure 2A: (150a, 150c)] and second [Figure 2A: adjacent to the lamp] apertures spaced a distance from one another, as well as a portion extending outside of the main housing;
- A lamp [Figure 2A: (174)] recessed within the lamp housing and the main housing;
- A fan [Figure 2A: (FAN)] positioned to draw air into and through the first aperture of the lamp housing, around the lamp, and through the second aperture of the lamp housing; and
- A flange [Figure 2A: (126)] substantially continuously coupled to the portion of the lamp housing extending outside of the main housing, whereby the flange substantially continuously engages a surface of a structure [Figure 2A: (4)].



8. With regards to Claim 3, Hutain discloses the lamp housing [Figure 1B: (122)] having a circular cross-section, and the flange [Figure 2A: (126)] being annular in shape.

9. With regards to Claim 4, Hutain discloses the lamp housing including a light baffle [Figure 2A: (134)].

10. With regards to Claim 7, Hutain discloses the lamp housing [Figure 2A: (122)] dimensioned to be received with the first aperture [Figure 2A: proximate (110)] of the main housing.

11. With regards to Claim 8, Hutain discloses the lamp [Figure 2A: (174)] having first and second ends, whereby the first and second ends of the lamp being recessed with respect to the surface of the structure [Figure 2A: (4)].

12. With regards to Claim 9, Hutain discloses a motor [Column 8, Lines 9-12; inherent of Orion Fans] drivably coupled to the fan, whereby the motor is located within the main housing.

13. With regards to Claim 10, Hutain discloses the lamp having an external surface, whereby the lamp housing and the external surface of the lamp define an air

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passageway [Figure 2A: (135)] through which air passes from the first aperture of the lamp housing to the second aperture of the lamp housing and into the main housing.

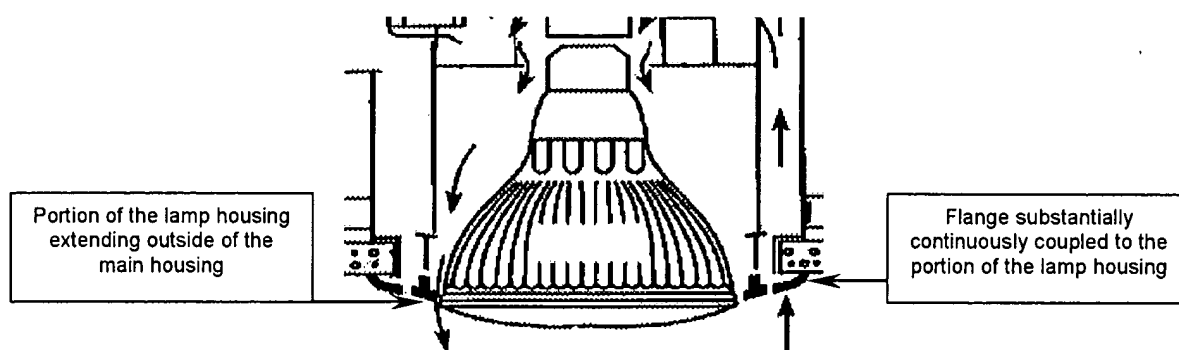
14. With regards to Claim 42, Hutain discloses the lamp housing [Figure 2A: (122)], the flange [Figure 2A: (126)], and the surface of the structure [Figure 2A: (4)] concealing the main housing [Figure 2A: (108)].

15. Claims 22-28, 31, and 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Hutain (U.S. Patent 6095671).

16. With regards to Claim 22, Hutain discloses a combination lighting and ventilating apparatus including:

- A main housing [Figure 2A: (108)] recessed with respect to a mounting surface [Figure 2A: (4)] and having a first aperture [Figure 2A: proximate (110)], wherein the first aperture defines a ventilation inlet and a lighting outlet;
- A lamp housing [Figure 2A: (122)] recessed within the main housing, wherein the lamp housing has a portion extending beyond the first aperture and outside of the main housing;
- A lamp [Figure 2A: (174)] within the lamp housing and recessed with respect to the main housing;
- A fan [Figure 2A: (FAN)] positioned to draw air into the lamp housing, around the lamp, and into the main housing; and

- A flange [Figure 2A: (126)] substantially continuously engaging the mounting surface and substantially continuously coupled to the portion of the lamp housing extending beyond the first aperture of the main housing.



17. With regards to Claim 23, Hutain discloses the lamp [Figure 2A: (174)] being recessed within the lamp housing and the main housing (inherent if the lamp housing is recessed within the main housing, as mentioned within Independent Claim 22).
18. With regards to Claim 24, Hutain discloses the lamp [Figure 2A: (174)] having an exterior surface in fluid communication with air drawn into the lamp housing by the fan.
19. With regards to Claim 25, Hutain discloses a motor [Column 8, Lines 9-12; inherent of Orion Fans] positioned within the main housing and drivably coupled to the fan.
20. With regards to Claim 26, Hutain discloses the lamp housing having a first aperture [Figure 2A: (150a, 150c)] and a second aperture [Figure 2A: where the lamp is disposed] opposite the first aperture.
21. With regards to Claim 27, Hutain discloses the first and second apertures being axially aligned, whereby the first aperture of the lamp housing [Figure 2A: (150a, 150c)] is smaller than the second aperture [Figure 1: where the lamp is disposed] of the lamp



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housing, and the lamp and the lamp housing define an air passageway [Figure 2A: (135)] extending between the first and second apertures.

22. With regards to Claim 28, Hutain discloses the fan [Figure 2A: (FAN)] being positioned to draw air into the first aperture of the lamp housing, around the lamp, and into the second aperture of the lamp housing.

23. With regards to Claim 31, Hutain discloses the lamp housing [Figure 1: (122)] having a circular cross-section, and the flange [Figure 2A: (126)] being annular in shape.

24. With regards to Claim 45, Hutain discloses the lamp housing [Figure 2A: (122)], the flange [Figure 2A: (126)], and the surface of the structure [Figure 2A: (4)] concealing the main housing [Figure 2A: (108)].

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

25. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hutain (U.S. Patent 6095671).

26. With regards to Claim 5, Hutain discloses the claimed invention as cited above, but does not specifically teach the lamp housing having at least one outwardly-bowed wall presenting a concave wall shape to the lamp in the lamp housing.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the lamp housing into an outwardly-bowed wall presenting a concave wall shape, since it has been held to be within the general skill of a worker that mere change of form or shape of an invention involves only routine skill in the art. *Span-Deck Inc. c. Fab-Con, Inc.* (CA 8, 1982) 215USPQ 835. In this case, it would have been obvious to modify the lamp housing with a concave wall shape that is outwardly-bowed in order to conserve space, or to produce a desired optical or convective airflow effect. It further would have been advantageous to then apply a reflective surface to the concave wall shape. Such a configuration is commonly seen with reflectors in the art.

27. With regards to Claim 6, Hutain discloses the claimed invention as cited above, but does not specifically teach the fan located outside the main housing.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the fan outside the main housing, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japiske*, 86 USPQ 70. In this case, it is obvious that placing the fan outside the main housing would alter the fluid dynamics [e.g., air] of the system to a desire preference. It is also obvious that rearranging the fan outside may allow for easier manufacturing wherein less components have to be installed within said housing.

28. Claims 11-21 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duhamel et al. (U.S. Patent 3692977).

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29. With regards to Claim 11, Duhamel discloses a lighting and ventilating apparatus providing:

- A lamp housing [Figures 1&3: (14, 36)] positioned within a main housing [Figures 1&3: (10)] to define a recessed lamp housing, whereby the lamp housing has a portion [Figure 1: (14); Figure 3: (36)] extending outside of the main housing;
- A lamp [Figures 1&3: (24)] positioned within the lamp housing and main housing to define a recessed lamp, whereby the recessed lamp has an exterior surface exposed to air moved by the apparatus;
- Illumination of a room with the lamp [Column 3, Lines 18-31; Column 7, Lines 39-40];
- A fan [Figure 3: (31)] driven to draw air from the room into the recessed lamp housing and around the exterior surface of the recessed lamp [Column 1, Lines 5-25];
- The air drawn around the lamp into the main housing [Figure 3]; and
- Ventilation of the air from the main housing to a position outside of the room [Column 1, Lines 23-25].

Though Duhamel does not specifically teach the claim being a method, Duhamel shows the obvious method for practicing the invention shown in Figures 1 and 3. It should further noted that a method claim is considered unpatentable and obvious when the prior art suggests and teaches all the structural limitations of said claim.

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30. With regards to Claim 12, Duhamel discloses driving the fan independently of illuminating the room [Column 1, Lines 21-23; Column 7, Lines 32-42].

31. With regards to Claim 13, Duhamel discloses mounting the lighting and venting apparatus to a mounting surface [Figures 1&3: (19); Column 4, Lines 48-49], wherein the main housing is recessed with respect to the mounting surface.

32. With regards to Claim 14, Duhamel discloses the lamp [Figures 1&3: (24)] having first and second ends, whereby said lamp is positioned within the housing such that the first and second ends of the lamp are recessed with respect to the mounting surface [Figure 3].

33. With regards to Claim 15, Duhamel discloses providing the main housing with a first aperture [Figure 3: bottom of (10)], and at least a portion of the lamp housing [Figure 3: (36)] positioned within said first aperture.

34. With regards to Claim 16, Duhamel discloses providing the air drawn through the first aperture of the main housing [Figure 3].

35. With regards to Claim 17, Duhamel discloses providing the lamp housing [Figure 3: (36)] with first [Figure 3: bottom of (36)] and second [Figure 3: top of (36)] apertures, and driving the fan to draw air into and through the first aperture of the lamp housing, around the exterior surface of the lamp, and into and through the second aperture of the lamp housing.

36. With regards to Claim 18, Duhamel discloses driving the fan to draw air past walls of the lamp housing having a concave cross-sectional shape taken along an axis of revolution of the lamp housing [Figure 3: walls (36) adjacent to the lamp (24)].

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37. With regards to Claim 19, Duhamel discloses coupling the lamp housing within the main housing via a spring [Column 5, Lines 17-21].

38. With regards to Claim 20, Duhamel discloses driving the fan with a motor [Figure 3: (30)] located within the main housing.

39. With regards to Claim 21, Duhamel discloses the claimed invention as cited above, but does not specifically teach driving the fan located outside the main housing.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the fan outside the main housing, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japiske*, 86 USPQ 70. In this case, it is obvious that placing the fan outside the main housing would alter the fluid dynamics [e.g., air] of the system to a desire preference. It is also obvious that rearranging the fan outside may allow for easier manufacturing wherein less components have to be installed within said housing.

40. With regards to Claim 44, Duhamel discloses a flange [Figure 1: (19)] and the lamp housing [Figures 1&3: (14, 36) being positioned with respect to the surface of the structure [Column 4, Lines 48-49] concealing the main housing [Figure 1: (10)].

41. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hutain (U.S. Patent 6095671).

Hutain discloses the claimed invention as cited above, but does not specifically teach the lamp housing having a generally frusto-conical shape with outwardly-bulging walls.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the lamp housing into a generally frusto-conical shape with outwardly-bulging walls, since it has been held to be within the general skill of a worker that mere change of form or shape of an invention involves only routine skill in the art. *Span-Deck Inc. c. Fab-Con, Inc.* (CA 8, 1982) 215USPQ 835. In this case, it would have been obvious to modify the lamp housing to conserve space, or to produce a desired optical or convective airflow effect. It further would have been advantageous to then apply a reflective surface to the concave wall shape. Such a configuration is commonly seen with reflectors in the art.

42. Claims 32-41, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duhamel et al. (U.S. Patent 3692977).

43. With regards to Claim 32, Duhamel discloses an invention providing:

- An illuminating and venting apparatus [Figures 1&3] recessed within a mounting surface [Figure 1&3: (19); Column 4, Lines 48-49], whereby said apparatus includes a main housing [Figures 1&3: (10)], a lamp housing [Figures 1&3: (14, 36)], a lamp [Figures 1&3: (24)] having first and second ends, and a fan [Figure 3: (31)];
- The lamp housing positioned within the main housing such that a portion of the lamp housing [Figure 1: (14); Figure 3: (36)] extends outside of the main housing;

- The lamp [Figures 1&3: (24)] positioned within the lamp housing such that the first and second ends of the lamp are recessed within the mounting surface [Figures 1&3: (19)];
- Illumination of a room with the lamp [Column 3, Lines 18-31; Column 7, Lines 39-40]; and
- Driving the fan [Figure 3: (31)] to move air into the lamp housing, around the lamp, and into the main housing.

Though Duhamel does not specifically teach the claim being a method, Duhamel shows the obvious method for practicing the invention shown in Figures 1 and 3. It should further noted that a method claim is considered unpatentable and obvious when the prior art suggests and teaches all the structural limitations of said claim.

44. With regards to Claim 33, Duhamel discloses the main housing providing a first aperture [Figure 3: bottom of (10)], wherein at least a portion of the lamp housing [Figure 3: (36)] is positioned within the first aperture.

45. With regards to Claim 34, Duhamel provides moving air into a bowl-shaped structure defined by walls of the lamp housing [Figure 3: (36)].

46. With regards to Claim 35, Duhamel provides a flange [Figures 1&3: (14, 36)] positioned adjacent the mounting surface [Figures 1&3: (19)], the flange engages with the portion of the lamp housing that extends outside the main housing [as best seen with Figure 3: (36)].

47. With regards to Claim 36, Duhamel discloses the lamp [Figures 1&3: (24)] positioned within the lamp housing lamp housing and the main housing.

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48. With regards to Claim 37, Duhamel discloses the lamp [Figure 3: (24)] having an exterior surface, wherein the lamp is positioned within the lamp housing such that the exterior surface is in fluid communication with air drawn into the lamp housing [Figure 3].

49. With regards to Claim 38, Duhamel discloses the housing having a first aperture [Figure 3: bottom of (10)] adjacent the portion of the lamp housing [Figure 3: (36)] that extends outside of the main housing, whereby ventilation for the room is provided via the main housing first aperture.

50. With regards to Claim 39, Duhamel discloses a motor [Figure 3: (30)] positioned within the main housing for driving the fan.

51. With regards to Claim 40, Duhamel discloses the claimed invention as cited above, but does not specifically teach driving the fan located outside the main housing.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the fan outside the main housing, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japiske*, 86 USPQ 70. In this case, it is obvious that placing the fan outside the main housing would alter the fluid dynamics [e.g., air] of the system to a desire preference. It is also obvious that rearranging the fan outside may allow for easier manufacturing wherein less components have to be installed within said housing.

52. With regards to Claim 41, Duhamel discloses the lamp housing including first [Figure 3: bottom of (36)] and second [Figure 3: top of (36)] apertures, wherein driving



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the fan includes drawing air into and through the first aperture of the lamp housing, around the lamp, and into and through the second aperture of the lamp housing.

53. With regards to Claim 47, Duhamel discloses a flange [Figure 1: (19)] and the lamp housing [Figures 1&3: (14, 36) being positioned with respect to the surface of the structure [Column 4, Lines 48-49] concealing the main housing [Figure 1: (10)].

54. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hutain (U.S. Patent 6095671).

Hutain discloses the claimed invention as cited above, but does not specifically teach a ratio existing between a first diameter of the first aperture and a second diameter of the second aperture, whereby the ratio is approximately between approximately 1.1 to 1 and 3 to 1.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the first and second apertures to have a diametrical ratio approximately between 1.1 to 1 and 3 to 1, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233. In this case, one would want to find an optimum ratio between the diameters so as to effectively dissipate heat and convection.

55. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hutain (U.S. Patent 6095671).

Hutain discloses the claimed invention as cited above, but does not specifically teach a ratio existing between a first diameter of the first aperture and a second

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diameter of the second aperture, whereby the ratio is approximately between 1.1 to 1 and 3 to 1.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the first and second apertures to have a diametrical ratio approximately between 1.1 to 1 and 3 to 1, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233. In this case, one would want to find an optimum ratio between the diameters so as to effectively dissipate heat and convection.

### **Conclusion**

Applicant's amendment, "~~a flange substantially continuously coupled~~" (not previously recited and unexpected), necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Han whose telephone number is (571) 272-2207. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMH (10/18/2005)

  
Stephen Husar  
Primary Examiner